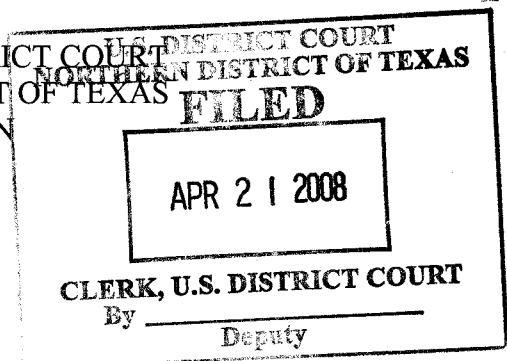


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



JEFFREY D. CALVERT,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:08-CV-0057

**ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS**

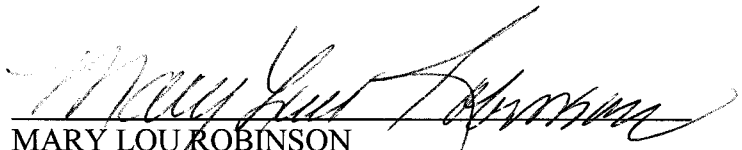
Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On March 26, 2008, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that habeas relief be denied. On April 16, 2008, petitioner filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. In his objections, petitioner asserts his case is similar to *Egerton v. Cockrell*, 334 F.3d 433 (5th Cir. 2003), and therefore, he is entitled to equitable tolling of the statute of limitations. However, petitioner fails to allege any specific facts or circumstances that would entitle him to equitable tolling. Instead, petitioner merely asserts he did not know of the AEDPA limitations period and claims that if he had known, he “might” have filed his habeas petition sooner. Petitioner’s situation is clearly distinguishable from the facts in *Egerton*.

The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner JEFFREY D. CALVERT is hereby DENIED.

IT IS SO ORDERED.

ENTERED this 21st day of April 2008.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE